



STATE OF WISCONSIN Assembly Journal

Ninety-Sixth Regular Session

6:40 P.M.

TUESDAY, February 18, 2003

The Assembly met in the Assembly Chamber located in the State Capitol.

Speaker Gard in the chair.

The prayer was offered by Representative Hahn.

Representative Vukmir led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Boyle, Coggs, Colon, Cullen, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hines, Huber, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Kreuser, Krug, Krusick, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Miller, Montgomery, Morris, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Pope–Roberts, Powers, Rhoades, Richards, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Suder, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Weber, Wieckert, A. Williams, M. Williams, J. Wood, W. Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 98.

Absent with leave – None.

Vacancies – 18th Assembly District – 1.

AMENDMENTS OFFERED

Assembly substitute amendment 2 to **Assembly Bill 42** offered by Representatives Musser and Pettis.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 19

Relating to: proclaiming May 16, 17, and 18, 2003, Syttende Mai Weekend.

By Representatives Johnsrud, Hebl, Rhoades, Gronemus, Gunderson, Miller, Pettis, Ladwig, Jensen, Huebsch, Olsen, Pocan, Shilling, Bies, Albers, Hahn, Musser, Berceau, Van Roy, J. Lehman, Turner, Townsend, Owens, Petrowski, Ward, Vrakas, Underheim and Coggs; cosponsored by Senators M. Meyer, Chvala, Hansen, Lazich, Kanavas, Schultz, Harsdorf and Risser.

To committee on **Rules**.

Assembly Bill 62

Relating to: dispositional orders for truancy or habitual truancy and the disclosure of juvenile records by a juvenile court or a municipal court.

By Representatives Ladwig, Olsen, Ainsworth, Albers, Bies, Gielow, Grothman, Hahn, Hines, Kerkman, Kestell, F. Lasee, Lassa, J. Lehman, M. Lehman, Musser, Ott, Owens, Seratti, Stone, Townsend, Vukmir, Ziegelbauer and Hundertmark; cosponsored by Senators Stepp, S. Fitzgerald and Roessler.

To committee on **Corrections and the Courts**.

Assembly Bill 63

Relating to: employment discrimination based on creed and exemption from liability and discipline for pharmacists who refuse to dispense for abortions, assisted suicides, and euthanasia.

By Representatives Owens, Albers, Bies, J. Fitzgerald, Freese, Gielow, Gottlieb, Grothman, Gunderson, Gundrum, Hahn, Hines, Huebsch, Hundertmark, Jeskewitz, Kerkman, Kestell, Krawczyk, Ladwig, F. Lasee, LeMahieu, Loeffelholz, D. Meyer, Nass, Nischke, Ott, Petrowski, Pettis, Seratti, Stone, Suder, Vrakas, Vukmir, Weber, J. Wood and Ziegelbauer; cosponsored by Senators Reynolds, Brown, Cowles, S. Fitzgerald, Harsdorf, Kanavas, Kedzie, Lazich, Leibham, Roessler, Schultz, Stepp, Welch and Zien.

To committee on **Labor**.

Assembly Bill 64

Relating to: providing an exception to the law prohibiting discrimination in public places of accommodation to permit a fitness center whose facilities and services are intended for the exclusive use of persons of the same sex to provide the use of those facilities and services exclusively to persons of that sex.

By Representatives Grothman, Vrakas, Montgomery, Ainsworth, Bies, Gottlieb, Gunderson, Hahn, Hines, Huebsch, Kestell, Krawczyk, Ladwig, F. Lasee, Lassa, J.

Lehman, Musser, Olsen, Ott, Owens, Petrowski, Plale, Schneider, Seratti, Shilling, Stone, Suder, Towns, Underheim, Van Roy, Weber, J. Wood, Ziegelbauer and M. Williams; cosponsored by Senators Roessler, Harsdorf, Breske, Cowles, S. Fitzgerald, Kanavas, A. Lasee, Lazich, Leibham and Reynolds.

To committee on **Small Business**.

Assembly Bill 65

Relating to: access by law enforcement agencies to photographs on motor vehicle operators' licenses and identification cards.

By Representatives Wieckert, Friske, Ladwig, Hahn, Townsend, Hundertmark, F. Lasee, McCormick, Ott, Towns, J. Fitzgerald, Van Roy, Vrakas, Gundrum, Krawczyk, Stone, Petrowski, Hines, Bies, M. Lehman and Gunderson; cosponsored by Senators S. Fitzgerald, Kanavas, A. Lasee, Kedzie, Reynolds, Roessler, Schultz and Stepp.

To committee on **Transportation**.

Assembly Bill 66

Relating to: requiring all persons admitted to the University of Wisconsin Medical School to take the Medical College Admission Test.

By Representatives Wasserman, Freese, Hines, Turner, Albers, Bies and Hahn.

To committee on **Colleges and Universities**.

Assembly Bill 67

Relating to: employment discrimination based on creed; exemption from liability and discipline for health care providers and hospital employees who refuse to participate in sterilization, abortion, assisted suicide, and other procedures on moral or religious grounds; and power of attorney for health care instruments and patient declarations regarding the withholding or withdrawal of life-sustaining procedures or feeding tubes.

By Representatives Hundertmark, Staskunas, Albers, Bies, J. Fitzgerald, Freese, Grothman, Gunderson, Gundrum, Hahn, Hines, Huebsch, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, McCormick, D. Meyer, Montgomery, Nass, Ott, Owens, Petrowski, Rhoades, Stone, Suder, Underheim, Van Roy, Vrakas, Vukmir, Weber, Wieckert, J. Wood and Ziegelbauer; cosponsored by Senators Roessler, Reynolds, Breske, Cowles, S. Fitzgerald, Harsdorf, Kanavas, Kedzie, A. Lasee, Lazich, Leibham, Schultz, Stepp and Welch.

To committee on **Labor**.

Assembly Bill 68

Relating to: granting high school credit for extracurricular sports.

By Representatives Pettis, Krawczyk, Stone, Van Roy, Hines and Seratti.

To committee on **Education**.

Assembly Bill 69

Relating to: closing dates for certain fishing seasons.

By Representatives Pettis, Hines, Plouff, Nass, J. Wood, Johnsrud, Owens, Gronemus, Jeskewitz, Gunderson, Krawczyk, Stone, Bies, Hahn, Seratti, Musser, Townsend,

McCormick and Lothian; cosponsored by Senators Schultz and Harsdorf.

To committee on **Natural Resources**.

Assembly Bill 70

Relating to: modifying the definition of income under the homestead tax credit.

By Representatives Ainsworth, Albers, Grothman, Gundrum, Hahn, Hines, Krawczyk, Owens, Seratti and J. Wood.

To committee on **Ways and Means**.

Assembly Bill 71

Relating to: threats to release or disseminate harmful chemical, biological, or radioactive substances and providing a penalty.

By Representatives Wieckert, Musser, Hines, M. Lehman, Hahn, Gielow, Krawczyk, Bies, Owens, Ladwig, Olsen, Gunderson, Jeskewitz, Townsend, Ott, F. Lasee, Nass, Stone, J. Fitzgerald, Vrakas, Van Roy and Weber; cosponsored by Senators Cowles, Schultz, Lazich, Stepp, Brown, Kanavas, Roessler and Leibham.

To committee on **Criminal Justice**.

Assembly Bill 72

Relating to: providing alcohol beverages to persons who are 18, 19, or 20 years of age and providing a penalty.

By Representatives Owens, Ainsworth, Albers, Bies, J. Fitzgerald, Hines and Kerkman; cosponsored by Senator Roessler.

To committee on **State Affairs**.

Assembly Bill 73

Relating to: termination of parental rights and adoptive placement of a newborn child whose custody has been relinquished by his or her parent.

By Representatives Ladwig, Jeskewitz, Ainsworth, Freese, Friske, Gielow, Gronemus, Gunderson, Hahn, Hines, Huebsch, Jensen, Kerkman, Krawczyk, F. Lasee, M. Lehman, McCormick, Montgomery, Musser, Olsen, Ott, Owens, Petrowski, Plouff, Seratti, Townsend, Vrakas and J. Wood; cosponsored by Senators Stepp, Cowles, Kanavas, Lazich, Roessler and Schultz.

To committee on **Children and Families**.

Assembly Bill 74

Relating to: tuition vouchers for students who sound Taps at military honors funerals.

By Representatives Musser, Townsend, Loeffelholz, Turner, Bies, Plouff, Pettis, Balow, Ainsworth, Boyle, Petrowski, Cullen, Owens, Gunderson, Gronemus, Krawczyk, McCormick, Coggs, Stone, Ott, Hines, J. Lehman, M. Lehman, Ward, Olsen, Hahn, J. Fitzgerald and Hundertmark; cosponsored by Senators Brown, Leibham, Wirth, S. Fitzgerald, Welch, Kanavas, Breske and Schultz.

To committee on **Veterans and Military Affairs**.

Assembly Bill 75

Relating to: classifying employees of the Department of Military Affairs who perform security functions at weapons facilities owned by the state as protective occupation participants under the Wisconsin Retirement System.

By Representatives Musser, Boyle, J. Wood, Freese, Gronemus, Pettis, Albers, Bies, Hines and Gunderson; cosponsored by Senator Breske.

To joint survey committee on **Retirement Systems**.

Assembly Bill 76

Relating to: classifying certain teachers employed by the state as protective occupation participants under the Wisconsin Retirement System.

By Representatives Musser, Gunderson, J. Wood, Boyle, Freese, Black, Pettis, Lassa, Gronemus, Plouff, Balow, Coggs and Miller; cosponsored by Senators Erpenbach, Roessler, Hansen, Risser and Breske.

To joint survey committee on **Retirement Systems**.

Assembly Bill 77

Relating to: creditable military service under the Wisconsin Retirement System.

By Representatives Musser, Miller, Kerkman, Loeffelholz, Suder, Boyle, Owens, Bies, Travis, Pettis, Albers, Lassa, Freese, Gronemus, Coggs, Balow, Hines, Turner, Gielow, J. Lehman, Krawczyk, Friske, Gunderson, McCormick and Petrowski; cosponsored by Senators S. Fitzgerald, Schultz, Roessler, Wirch, Stepp, Breske, Harsdorf and Welch.

To joint survey committee on **Retirement Systems**.

Assembly Bill 78

Relating to: state government holidays.

By Representatives Musser, Bies, Lassa, Freese, Pettis, Petrowski, Gronemus, Krawczyk, Hahn, Owens, Ward, Plouff and Albers; cosponsored by Senators Breske and Wirch.

To committee on **Government Operations and Spending Limitations**.

Assembly Bill 79

Relating to: authorizing the Wisconsin Health and Educational Facilities Authority to issue bonds to finance a project undertaken for a facility used for education by a private, tax-exempt institution.

By Representatives Wieckert, Vukmir, Jensen, Montgomery, Owens, Van Roy, Hines, Ladwig, Bies, J. Wood, Kaufert, Ainsworth, Vrakas, Hundertmark, F. Lasee, McCormick and J. Fitzgerald; cosponsored by Senators Kanavas, Schultz, S. Fitzgerald, Welch and Ellis.

To committee on **Education Reform**.

Assembly Amendment 1 adoption:

Ayes: 5 – Representatives Friske, Ainsworth, Seratti, M. Williams and Boyle.

Noes: 0.

Assembly Amendment 2 adoption:

Ayes: 5 – Representatives Friske, Ainsworth, Seratti, M. Williams and Boyle.

Noes: 0.

Passage as amended:

Ayes: 5 – Representatives Friske, Ainsworth, Seratti, M. Williams and Boyle.

Noes: 0.

To committee on **Rules**.

Assembly Bill 12

Relating to: educational requirements for foresters employed by the Department of Natural Resources and persons authorized to designate trees for cutting in state forests.

Assembly Amendment 1 adoption:

Ayes: 5 – Representatives Friske, Ainsworth, Seratti, M. Williams and Boyle.

Noes: 0.

Passage as amended:

Ayes: 5 – Representatives Friske, Ainsworth, Seratti, M. Williams and Boyle.

Noes: 0.

To committee on **Rules**.

Assembly Joint Resolution 18

Relating to: supporting the use of sound, scientific, and sustainable forest management harvest techniques in order to preserve and maximize the use and enjoyment of Wisconsin's forests.

Adoption:

Ayes: 5 – Representatives Friske, Ainsworth, Seratti, M. Williams and Boyle.

Noes: 0.

To committee on **Rules**.

DONALD FRISKE

Chairperson

Committee on Forestry

COMMITTEE REPORTS

The committee on **Forestry** reports and recommends:

Assembly Bill 9

Relating to: authorizing the establishment of a program for the suppression of gypsy moths, specifying areas eligible for aerial insecticide treatment for the suppression of gypsy moths, and requiring the exercise of rule-making authority.

The committee on **Tourism** reports and recommends:

Assembly Bill 37

Relating to: allowing certain school buses to tow trailers.

Passage:

Ayes: 7 – Representatives Pettis, Bies, Gunderson, Hines, M. Williams, Van Roy and Plale.

Noes: 4 – Representatives Ziegelbauer, Van Akkeren, Sinicki and Young.

To committee on **Rules**.

Assembly Bill 39

Relating to: membership on the State Fair Park Board.

Passage:

Ayes: 10 – Representatives Pettis, Bies, Hines, M. Williams, Van Roy, Plale, Ziegelbauer, Van Akkeren, Sinicki and Young.

Noes: 0.

To committee on **Rules**.

MARK PETTIS
Chairperson
Committee on Tourism

The committee on **Veterans and Military Affairs** reports and recommends:

Assembly Bill 19

Relating to: benefits and eligibility of Wisconsin residents who are members of the national guard in another state.

Passage:

Ayes: 12 – Representatives Musser, Pettis, Hundertmark, Petrowski, Bies, Loeffelholz, Gottlieb, Sherman, Boyle, Schneider, Sinicki and Miller.

Noes: 0.

To committee on **Rules**.

Assembly Bill 20

Relating to: staffing and military rank changes in the Department of Military Affairs.

Passage:

Ayes: 12 – Representatives Musser, Pettis, Hundertmark, Petrowski, Bies, Loeffelholz, Gottlieb, Sherman, Boyle, Schneider, Sinicki and Miller.

Noes: 0.

To committee on **Rules**.

Assembly Bill 42

Relating to: burial at veterans cemeteries.

Assembly Substitute Amendment 2 adoption:

Ayes: 14 – Representatives Musser, Townsend, Pettis, Hundertmark, Petrowski, Bies, Loeffelholz, Gottlieb, Sherman, Boyle, Hubler, Schneider, Sinicki and Miller.

Noes: 0.

Passage as amended:

Ayes: 14 – Representatives Musser, Townsend, Pettis, Hundertmark, Petrowski, Bies, Loeffelholz, Gottlieb, Sherman, Boyle, Hubler, Schneider, Sinicki and Miller.

Noes: 0.

To committee on **Rules**.

TERRY MUSSER
Chairperson
Committee on Veterans and Military Affairs

COMMUNICATIONS

State of Wisconsin
Office of the Secretary of State
Madison

To Whom It May Concern:

Acts, Joint Resolutions and Resolutions deposited in this office have been numbered and published as follows:

| <u>Jt. Res. Number</u> | <u>Enrolled Number</u> | <u>Publication Date</u> |
|------------------------------|------------------------|-------------------------|
| Assembly Joint Res. 1 | 8 | February 28, 2003 |
| Assembly Joint Res. 3 | 9 | Not Published |
| Assembly Joint Res. 8 | ... 10 | Not Published |
| Assembly Joint Res. 2 | ... 11 | Not Published |

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

COMMUNICATIONS

January 27, 2003

Patrick Fuller
Assembly Chief Clerk
Risser Justice Center
Room 208
Madison, WI 53708

Dear Mr. Fuller:

Representative Kreuser has appointed Representative Leon Young to the Assembly Committee on Tourism. Our initial committee assignments listed Representative Riley as a member of Tourism. Representative Riley has been removed and Representative Young will replace him. Let me know if there are any questions or concerns regarding this change. Thank you.

Sincerely,
JIM KREUSER
Assembly Democratic Leader

February 17, 2003

Patrick Fuller
Assembly Chief Clerk
Risser Justice Center
Room 208
Madison, WI 53708

Dear Mr. Fuller:

Representative Robert Turner has been nominated to serve on the Urban and Local Affairs Committee, effective February 6, 2003.

Sincerely,
JIM KREUSER
Assembly Democratic Leader

February 17, 2003

Mr. Patrick Fuller
Assembly Chief Clerk
17 West Main Street
2nd Floor
Madison, WI 53702

Dear Chief Clerk Fuller:

I am writing to inform you of a seating change in the Assembly Chambers. Representative Larry Balow, whose current seat is number 67, will be moving to seat number 60.

Thank you for your attention to this matter.

Sincerely,
ROBERT L. TURNER
Democratic Caucus Chair

SPEAKER'S APPOINTMENTS

February 14, 2003

Mr. Patrick Fuller
Assembly Chief Clerk
Risser Justice Center
17 West Main Street
Madison, WI 53703

Dear Patrick:

Representative Jim Kreuser has nominated Representative Robert Turner to replace former Representative Antonio Riley on the Assembly Committee on Urban and Local Affairs. I have accepted the nomination and request that Representative Turner be added to the committee.

Sincerely,
JOHN G. GARD
Speaker
Wisconsin State Assembly

February 14, 2003

Mr. Patrick Fuller
Assembly Chief Clerk
Risser Justice Center
17 West Main Street
Madison, WI 53703

Dear Patrick:

Representative Jim Kreuser has nominated Representative Leon Young to replace former Representative Antonio Riley on the Assembly Committee on Tourism. I have accepted the nomination and request that Representative Young be added to the committee.

Sincerely,
JOHN G. GARD
Speaker
Wisconsin State Assembly

Speaker Gard in the chair.

Speaker Gard appointed Representatives Gottlieb and Colon to escort Governor James Doyle from his office to the Assembly Chamber.

The Assembly Sergeant-at-Arms Rick Skindrud announced the arrival of the Honorable Justices of the Wisconsin Supreme Court.

The Assembly stood informal.

The Assembly Sergeant-at-Arms Rick Skindrud announced the arrival of the members of the Wisconsin State Senate.

JOINT CONVENTION

The houses went into joint convention.

Senate President A. Lasee presiding.

Senator A. Lasee recognized the presence of Chief Justice Shirley Abrahamson, Justice William Bablitch, Justice Jon Wilcox, Justice Ann Walsh Bradley, Justice N. Patrick Crooks and Justice David Prosser Jr. of the Wisconsin Supreme Court; Lieutenant Governor Barbara Lawton, Attorney General Peggy Lautenschlager, State Treasurer Jack Voight and Superintendent of Public Instruction Elizabeth Burmaster.

The Assembly Sergeant-at-Arms Rick Skindrud announced the arrival of Governor James Doyle

Governor James Doyle took his place at the rostrum to deliver his budget address.

Pursuant to Joint Rule 73, the governor's budget address is printed in the Senate journal only.

Representative Foti moved that the joint convention arise.

The question was: Shall the joint convention arise?

Motion carried.

7:45 P.M.

ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 10:00 A.M. on Thursday, February 20.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

7:46 P.M.